

FILED
DEC 20 2005

NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI DEPARTMENT OF INSURANCE

MISSISSIPPI
SECRETARY OF STATE
Mississippi Department of Insurance
c/o Lee Harrell, Deputy Commissioner
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Governor's State of Emergency Proclamation of August 26, 2005;
Governor's State of Emergency Proclamation of September 2, 2005;
State of Mississippi Emergency Operations and Executive Order No. 653

Reference to Rules repealed, amended or suspended by the Proposed Rule:
N/A

Specific Legal Authority authorizing the promulgation of Rule:

§§ 33-15-11; 33-15-11(b)(9); 33-15-11(c)(4); and 25-43-3.108

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

To establish a non-adversarial alternative dispute resolution procedure which is prompted by the critical need for effective, fair and timely handling of personal lines insurance claims arising out of the damages to property caused by Hurricane Katrina. This regulation is to be adopted as an emergency regulation pursuant to Miss. Code Ann. § 25-43-3.108.

This rule is proposed as a ☐ Final Rule, and/or a ☒ Temporary Rule (Check one or both boxes as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below:

☐ An oral proceeding is scheduled on this rule on Date: N/A

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least ____ day(s) prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

☒ An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:


☒ The agency has determined that an economic impact statement is not required for this rule, or

☐ The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.
N/A. A copy of the Temporary Order is attached.

Date Rule Proposed: December 20, 2005

Proposed Effective Date of Rule: December 20, 2005


Lee Harrell
Deputy Commissioner of Insurance